

United States Senate

WASHINGTON, DC 20510

Scott de la Vega
Designated Agency Ethics Official
U.S. Department of the Interior
1849 C Street, N.W.
Washington, DC 20240

Dear Mr. de la Vega:

I write to inquire whether U.S. Department of the Interior official Joe Balash complied with federal conflict of interest laws and ethics guidelines that govern federal employees who are seeking private employment.

Mr. Balash, who served as Assistant Secretary for Land and Minerals Management resigned from the Department effective Friday, August 30th. According to recent reports,¹ Mr. Balash confirmed on September 3rd that his next job is with Oil Search Limited, a foreign oil and gas development corporation based in Papua New Guinea that has active oil and gas operations in Alaska and on federal land.

Oil Search is reportedly pursuing additional opportunities to develop oil and gas operations on federal land, including in the Arctic National Wildlife Refuge (ANWR) and the National Petroleum Reserve-Alaska. Mr. Balash seemed to have participated personally and substantially in the Administration's policies to open these areas up to oil and gas production, which would have a direct effect on Oil Search's financial interests. According to official calendar records cited in public reports, senior Oil Search corporate officials discussed policy matters with Mr. Balash on several occasions at a time when they were also pursuing oil and gas development opportunities regulated by the Department of the Interior.

Under the requirements of the STOCK Act and associated federal ethics rules, covered employees, including Mr. Balash, are subject to certain notification and recusal requirements related to their efforts seek private employment. Mr. Balash was required to report his negotiations for future employment at or compensation from Oil Search or other potential private employers and to recuse himself from Department of the Interior activities with a direct effect on the financial interests of these employers.² In addition, Mr. Balash was subject to the Trump Administration's ethics pledge, which bars political appointees from lobbying his former agency or covered senior officials the federal government for five years, but he is reportedly going to be supervising Oil Search's efforts to lobby the Department of the Interior and other federal agencies.

¹ Juliet Eilperin and Steven Mufson, *Top Interior official who pushed to expand drilling in Alaska to join oil company there*, Washington Post, 2019, available at <https://www.washingtonpost.com/climate-environment/2019/09/04/top-interior-official-who-pushed-expand-drilling-alaska-join-oil-company-there/>

² Office of Government Ethics, *Requirements Under Section 17 of the STOCK Act Regarding Negotiations For and Agreements Of Post-Government, Non-Federal Employment* (April 6, 2012) available at [https://www.oge.gov/web/oge/nsf/All%20Advisories/9ACFEF2B2C153CD485257E96005FBEEC/\\$FILE/LA-12-01.pdf](https://www.oge.gov/web/oge/nsf/All%20Advisories/9ACFEF2B2C153CD485257E96005FBEEC/$FILE/LA-12-01.pdf)

While he served as Assistant Secretary, Mr. Balash was charged with managing millions of acres and billions of dollars' worth of our precious natural resources. During his tenure at the Department, he led an effort to open up ANWR and other public lands to development. Since he has obtained a job so quickly following that effort—with a company seeking to profit from those actions—I believe the public has a compelling interest in knowing whether the necessary steps were taken to address this potential conflict of interest.

Accordingly, please provide my office with copies of all ethics filings made by Mr. Balash during his time at the Department. These filings should include any notifications to your office from Mr. Balash regarding his negotiations for or agreements on future employment or compensation with Oil Search and his accompanying recusals. Please also provide a written certification that while at the Department of the Interior Mr. Balash complied with the necessary requirements of federal conflict of interest laws, including as required by section 17 of the STOCK Act and 5 C.F.R. part 2635, subpart F.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Tom Udall". The signature is fluid and cursive, with the first name "Tom" and last name "Udall" clearly legible.

Tom Udall
United States Senator